IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

WP(C).No. 9943 of 2007(H)

PETITIONER:

M.S.HUSSAIN RAWTHER, AGED 36 YEARS,
S/O P.SAYED MOHAMMED RAWTHER, MULACKAL VEEDU,
RAMANGALAM, MUVATTUPUZHA.

BY ADV. SRI.T.M.ABDUL LATHEEF
SRI.A.MUHAMMED HASHIM
SRI.BIJUMON E.A.

RESPONDENTS:

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1. MUVATTUPUZHA URBAN CO-OPERATIVE BANK LTD NO.556, MUVATTUPUZHA, REPRESENTED BY ITS SECRETARY.

2. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, ERNAKULAM.

R1 BY ADV. SRI.T.RAJESH
R2 BY GOVT. PLEADER SRI. P.N. SANTHOSH.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.9943/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF THE APPLICATION SENT TO THE PETITIONER BY THE FIRST RESPONDDENT TO BE SENT TO THE ADALATH DATED NIL.

EXT. P2 : TRUE COPY OF THE APPLICATION SENT TO THE PETITIONER BY THE FIRST RESPONDENT TO BE SENT TO THE ADALATH DATED NIL.

EXT. P3 : TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 17.3.2007.

RESPONDENT'S EXTS:

EXT. R1(A) : THE TRUE COPY OF LOAN APPLICATION SUBMITTED BY THE PETITIONER DATED NIL.

K.M.JOSEPH, J.

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WP.(C) No.9943 of 2007

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Dated this the 12th day of June, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Coercive steps were taken.

2. Heard counsel for the first respondent and learned Government Pleader also. Counsel for the petitioner prays for time to pay the amount.

Having heard counsel for the parties, the writ petition is disposed of as follows:

Petitioner is permitted to pay the amount due in nine equal monthly instalments, the first of which shall be paid on or before 2.7.2007. For enabling the petitioner to pay the intalments, the Bank will serve a statement showing the exact amount of instalments to be paid by the petitioner. It is open to the Bank to consider the grant of any concession available to the petitioner when it decides the amount of instalments to be paid. If any one of the instalments is defaulted, it will be open to the Bank to proceed against the petitioner in accordance with law.

(K.M. JOSEPH, JUDGE)

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